

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

MAR 20 2019

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CAROL EDITH PRETTY ON TOP,

Defendant.

CR 15-47-BLG-SPW

Clerk, U S District Court
District Of Montana
Billings

ORDER

On March 14, 2019, United States Magistrate Judge John Johnston entered Findings and Recommendations with respect to the March 12, 2019, petition for revocation of Defendant Pretty on Top's supervised release. (Docs. 57 and 62.) Although the parties were notified of their right to file objections to the Findings and Recommendations within 14 days, Pretty On Top waived her objection period. Consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Based on Pretty On Top's admission to the alleged violations, Judge Johnston recommends her supervised release be revoked. Judge Johnston further recommends that this Court sentence Pretty On Top to 3 months imprisonment with 30 months of supervised release to follow. Judge Johnston's Findings and Recommendations are without clear error and hereby adopted in full.

IT IS ORDERED that Defendant Pretty On Top's supervised release is revoked. Judgment will be entered by separate document.

DATED this 19th day of March 2019.


Susan P. Watters
SUSAN P. WATTERS
United States District Judge